



भारत का राजपत्र The Gazette of India

असाधारण
EXTRAORDINARY

भाग II—खण्ड 1
PART II—Section 1
प्राधिकार से प्रकाशित
PUBLISHED BY AUTHORITY

सं० 7] नई दिल्ली, मंगलवार, फरवरी 26 1974/फाल्गुन 7, 1895
No. 7] NEW DELHI, TUESDAY, FEBRUARY 26, 1974/PHALG NA 7, 1895

इस भाग में भिन्न पृष्ठ संख्या दी जाती है जिससे कि यह अंगूठे के रूप में रखा जा सके।
Separate paging is given to this Part in order that it may be filed
as a separate compilation

MINISTRY OF LAW, JUSTICE AND COMPANY AFFAIRS (Legislative Department)

New Delhi, the 26th February, 1974/Phalguna 7, 1895 (Saka)

The following President's Act is published for general information:—

THE ORISSA MUNICIPAL (AMENDMENT) ACT, 1974

No. 4 of 1974

Enacted by the President in the Twenty-fifth Year of the
Republic of India.

An Act further to amend the Orissa Municipal Act, 1950.

20 of 1973. In exercise of the powers conferred by section 3 of the Orissa State
Legislature (Delegation of Powers) Act, 1973, the President is pleased
to enact as follows:—

1. (1) This Act may be called the Orissa Municipal (Amendment)
Act, 1974.

(2) It shall come into force at once.

2. In section 12 of the Orissa Municipal Act, 1950, in sub-section (1),—

(a) in the proviso, for the words "Provided that", the words
"Provided further that" shall be substituted; and

(b) before the proviso as so amended, the following proviso
shall be inserted, namely:—

"Provided that the State Government may, by notification,
for sufficient reasons to be specified therein, extend the aforesaid
period by such further period or periods, as it thinks fit, not
exceeding four months in the aggregate in any case."

V. V. GIRI,
President.

K. K. SUNDARAM,
Secy. to the Govt. of India.

Reasons for the enactment

Under sub-section (1) of section 12 of the Orissa Municipal Act, 1950, as amended by Orissa Act 16 of 1968, there shall be general election of Councillors on the date of expiry of the period of four years and four months commencing from the date of the last general election. Out of this period, the term of office of the Councillors is four years under sub-section (1) of section 41. So, the period left for holding the election is four months. The election has several stages numbering 16 and the processes are followed in quick succession within the period of four months. In the months of November and December, 1973, the terms of three Councils expired and the elections to these Councils are to be completed before 3-3-1974, 25-3-1974 and 15-4-1974.

2. The work of holding municipal elections is entrusted to the Magistrate of the district and other officers in the districts. The services of these officers will not be available for holding the municipal elections since they are not likely to be free after completion of their work in connection with the general election.

3. To deal with such a situation it is necessary to invest the State Government of Orissa with power to extend the period of four years and four months specified in sub-section (1) of section 12 by a further period of four months. This extension in each case will be done by notification specifying therein the reasons therefor.

4. To achieve the aforesaid object, the proposed measure is being enacted as a President's Act.

5. In view of the urgency of the matter, it is not practicable to consult the Consultative Committee of Parliament on Orissa legislation constituted under the proviso to sub-section (2) of section 3 of the Orissa State Legislature (Delegation of Powers) Act, 1973 (20 of 1973). The measure is accordingly being enacted without reference to the Consultative Committee.

MAHMOOD BUTT,
Joint Secy. to the Govt. of India,
Ministry of Works and Housing.